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| APPLICATION NO.                 | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---------------------------------|-------------|----------------------|---------------------|------------------|
| 10/510,581                      | 03/22/2005  | Adrian Kopp          | 004501-790          | 1899             |
| 21839                           | 7590        | 11/01/2006           | EXAMINER            |                  |
| BUCHANAN, INGERSOLL & ROONEY PC |             |                      |                     | BELT, SAMUEL E   |
| POST OFFICE BOX 1404            |             |                      |                     |                  |
| ALEXANDRIA, VA 22313-1404       |             |                      |                     |                  |
|                                 |             | ART UNIT             |                     | PAPER NUMBER     |
|                                 |             | 3746                 |                     |                  |

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| <b>Office Action Summary</b> | Application No.<br>10/510,581 | Applicant(s)<br>KOPP ET AL. |
|------------------------------|-------------------------------|-----------------------------|
|                              | Examiner<br>Samuel E. Belt    | Art Unit<br>3746            |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 22 March 2005.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 13-19 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 13-19 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 08 October 2004 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date. \_\_\_\_ .  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 10/08/2004. 5)  Notice of Informal Patent Application  
6)  Other: \_\_\_\_ .

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 10/08/2004 is acknowledged. Since submission complies with 37 CFR 1.97 and 1.98, the examiner has considered the references listed therein.

### ***Claim Objections***

Claim 17 is objected to because of the following informalities: Claim 17 currently depends from canceled claim 4. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Munkel et al. (US Patent 5,207,566).

Munkel et al. disclose a turbocharger comprising a turbine (Figure 1, item 4) with a turbine wheel (Figure 1, item 12) and a compressor (Figure 1, item 2) with a compressor wheel (Figure 1, item 10), the turbine wheel and the compressor wheel being connected via a shaft (Figure 1, item 14), the shaft being rotatably and axially

mounted by means of bearings (Figure 1, items 20 & 22) arranged between turbine wheel and compressor wheel, and the turbine wheel, the shaft and the compressor wheel being arranged in a housing and connected to one another in such a way that, in the event of the compressor wheel bursting, an axial force acting in the direction of the turbine acts on the turbine wheel and the shaft connected to it, wherein a means (column 4, lines 34+) for axially locking the shaft and the turbine wheel connected to it is arranged between the compressor wheel and the turbine wheel on the shaft connected to the turbine wheel, the means, in the event of the compressor wheel bursting, preventing an axial movement of the shaft and of the turbine wheel connected to it in the direction of the turbine.

Claims 13-16, & 18-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Wollenweber (US Patent 3,961,867).

Woolenweber discloses a turbocharger comprising a turbine (Figure 1, item 10) with a turbine wheel (Figure 1, item 14) and a compressor (Figure 1, item 12) with a compressor wheel (Figure 1, item 18), the turbine wheel and the compressor wheel being connected via a shaft (Figure 1, item 22), the shaft being rotatably and axially mounted by means of bearings (Figure 1, item 28) arranged between turbine wheel and compressor wheel, and the turbine wheel, the shaft and the compressor wheel being arranged in a housing and connected to one another in such a way that, in the event of the compressor wheel bursting, an axial force acting in the direction of the turbine acts on the turbine wheel and the shaft connected to it, wherein a means (column 3, lines 30+) for axially locking the shaft and the turbine wheel connected to it is arranged

between the compressor wheel and the turbine wheel on the shaft connected to the turbine wheel, the means, in the event of the compressor wheel bursting, preventing an axial movement of the shaft and of the turbine wheel connected to it in the direction of the turbine.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel E. Belt whose telephone number is (571) 272-7820. The examiner can normally be reached on M-F, 8 - 4:30EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenberg can be reached on (571) 272-4828. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
SEB

  
Ehud Gartenberg

10252006

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SUPERVISORY PATENT EXAMINER